

### **EXECUTIVE ORDER NO. 97**

# REAUTHORIZE AND EXPAND THE GOVERNOR'S SCIENTIFIC ADVISORY PANEL ON ENERGY AND RESCINDING EXECUTIVE ORDER NO. 23

WHEREAS, North Carolina has many potential energy production opportunities, including oil, natural gas, wind, and other renewable sources of energy; and

**WHEREAS**, the United States Department of Interior through its Bureau of Ocean Energy Management, Regulation and Enforcement is currently identifying viable lease blocks for producing energy from offshore wind; and

**WHEREAS,** the North Carolina Geological Survey has identified deposits of natural gas and oil in North Carolina's Mesozoic basins that are exposed in the Piedmont or lie buried beneath the Atlantic Coastal Plain; and

WHEREAS, the technologies employed in extracting oil and natural gas and in harnessing wind and other energy resources are continuously evolving; and

**WHEREAS**, the level of scientific knowledge about the potential benefits and risks of all types of energy has also made significant advances; and

WHEREAS, wise stewardship of North Carolina's resources is vital, not only to the local economy, environment, and public health and safety, but also to that of the entire state; and

WHEREAS, any policies and positions regarding the use of North Carolina's oil, natural gas, wind, and other renewable energy resources must be based on sound science and a thorough evaluation of all available and relevant information.

**NOW, THEREFORE,** by the power vested in me as Governor by the Constitution and laws of North Carolina, **IT IS ORDERED:** 

#### Section 1. Establishment

The Governor's Scientific Advisory Panel on Energy ("Scientific Advisory Panel") is hereby established. The Scientific Advisory Panel shall consist of at least ten members, but no more than 20 members, including ex-officio members. The Governor shall appoint two at-large members upon recommendation of the Speaker of the North Carolina House of Representatives and two at-large members upon recommendation of the President Pro Tempore of the North Carolina Senate. The Governor shall appoint a Chair of the Scientific Advisory Panel.

## **Section 2.** Term of Membership and Vacancies

All members shall be appointed for a term of two (2) years and shall serve at the pleasure of the Governor. A vacancy occurring during a term of appointment shall be filled by the Governor for the balance of the unexpired term.

#### Section 3. Meetings

The Scientific Advisory Panel shall meet quarterly or at the call of the Governor. A majority of the members of the Scientific Advisory Panel shall constitute a quorum for the transaction of business. No per diem allowance shall be paid to members of the Scientific Advisory Panel. Members of the Scientific Advisory Panel may receive necessary travel and subsistence expenses in accordance with State law and the policies and regulations of the Office of State Budget and Management.

#### Section 4. Duties

The Scientific Advisory Panel shall have the following duties:

- a. Perform a comprehensive evaluation of the potential of all onshore energy resources available to North Carolina, including oil, natural gas, wind, and other renewable resources.
- b. Report on the current state of all relevant technologies for utilizing these resources, as well as on their feasibility for use in North Carolina.
- c. Inventory current laws, rules, and processes that affect the utilization of onshore energy resources including, but not limited to, state and federal permitting programs, local zoning and ordinances, and military access.
- d. Review relevant laws, regulations, policies, practices, and developments in other states, including those related to permitting and siting of onshore energy facilities and protection of the environment, public health, and public safety.
- e. Identify the most viable areas for onshore and offshore energy transmission and production by identifying areas of concern related to use of these onshore and offshore energy resources, including the following: economic development impacts, emergency

management and public safety, military access and use, water supplies, land use, zoning, the environment, and the existence of necessary infrastructure for resource extraction and power generation.

- f. Review the findings and recommendations of the Governor's Scientific Advisory Panel on Offshore Energy established under Executive Order No. 23 which expires September 18, 2011, and integrate such information into the work of the Scientific Advisory Panel.
- g. Report findings and recommendations to the Governor on or by December 31, 2012.

#### **Section 6.** Administration

The Department of Commerce shall provide clerical support and other services required by the Offshore Wind Task Force. No per diem allowance shall be paid to members of the Task Force. Members of the Task Force and staff may receive necessary travel and subsistence expenses in accordance with State law and the policies and regulations of the Office of State Budget and Management.

#### Section 5. Duration

This Executive Order is effective September 19, 2011. It supersedes and replaces all other executive orders on this subject and specifically rescinds Executive Order No. 23, dated September 18, 2009. This Executive Order shall remain in effect until September 18, 2014, pursuant to N.C. Gen. Stat. § 147-16.2, or until rescinded.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh, this thirtieth day of June in the year of our Lord two thousand and eleven, and of the Independence of the United States of

America the two hundred and thirty-fifth.

Beverly Eaves Perdue Governor

ATTEST:

Elaine F. Marshall Secretary of State